

REMARKS/ARGUMENTS

Claims 1 and 10 remain in this application.

In response to the Office Action of June 29, 2007, Applicant requests re-examination and reconsideration of this application for patent pursuant to 35 U.S.C. 132.

Rejection under 35 USC 103(a)

Claims 1 and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Japan 8-84964 in view of Anderburg et al. (US 4,095,746). The Examiner's position is respectfully traversed.

Japan '964 discloses a cleaning apparatus aimed at cleaning paint from the floors of paint booths in the automotive industry. The device includes a multi-piece elongated spray bar. At each of the distal ends of the spray are mounted three nozzles each mounted on a separate rotatable sleeve. One nozzle 34 (the penetrant nozzle) is directed forward and downward with respect to spray bar rotation and inward with respect to the axis of rotation. The second nozzle 34 is directed rearward and downward with respect to spray bar rotation and outward with respect to the axis of rotation so that the spray paths of the first and second nozzles are identical. The third nozzle is directed rearwardly, upwardly with respect spray bar rotation and inward with respect to the axis of rotation. Within the disclosure the penetrant nozzle always faces

forward (par. 0006, 0009, 0026) to provide the impingement necessary to remove the overspray from the floor of the paint booth while the second nozzle follows behind in the exact same path. The third nozzle is positioned to point upwardly and inwardly to cause the spray bar to rotate against the force caused by the spray of the first nozzle as well as maintaining the cleanliness of inside of the shroud member.

Anderburg et al. (US 4,095,746) discloses a water sweeper for coupling to a hose connected to a water supply. The water sweeper includes a tubular spray bar assembly consisting of a T-shaped member a pair of tubular members and a pair of cap members. A hollow handle extends upwardly from the T-shaped member to function as handle for movement of the spray bar. A pair of wheels each include a mounting stem that extends through apertures in the spray bar for attachment thereto.

In contrast, the instant invention comprises a spinner bar defined by **a single tubular member** having sealed ends. A first array of spray nozzles are positioned at said first end of the spray bar and a second array of spray nozzles at positioned at a second end of the spray bar. Both arrays each having an outermost nozzle and at least one inner nozzle. The outermost nozzle is fixedly inclined at a first compound angle with respect to the surface plane to direct a cleaning spray at a surface on a rearward

side of a vertical axis extending through said spray bar **to provide the exclusive motive force to cause rotation of said spray bar.** The outer nozzles are also angled to spray outwardly with respect to the axis of rotation to spray beyond the distal end of the spinner bar during rotation. The inner nozzle(s) are **fixedly** inclined at a second **substantially vertical angle** with respect to the ground plane to direct cleaning spray at the surface. The inner nozzle and the outermost nozzle are also positioned along a longitudinal axis of the spray bar so that a portion of the spray pattern produced by the inner nozzle overlaps a portion of the spray pattern produced by the outermost nozzle **during rotation** of the spinner bar.

It is well established that a showing of obviousness requires a motivation or suggestion to combine or modify prior art reference, coupled with a reasonable expectation of success, See *Brown & Williamson Tobacco Corp. V. Philip Morris Inc.*, 229 F.3d 1120, 1124-25, 56 USPQ2d 1456, 1459 (Fed. Cir 2000).

The instant invention as currently claimed requires the spinner bar to be constructed of a single unitary piece of tubular material. In contrast the devices of Japan and Anderburg construct their spray bars from multiple components which increase the cost of assembly and reduce reliability of the devices. The device of Japan does not teach or suggest any type of unitary spray bar. The

Japan device requires no less than 10 major components and 28 components in total not counting the nozzles. The device Anderburg also requires several components to construct the spray bar. In addition, because the spray bar of the instant invention is intended to spin around an axis of rotation at relatively high speeds, e.g. more than one thousand RPMs and preferably 3000 RPMs, the requirement of multiple components significantly increases the complexity and cost of balancing the spray bar.

In addition, the instant invention requires the outer nozzles to include an angle that directs spray beyond the distal ends of the spinner bar to increase the effective width of the cleaned path. Neither Japan nor Anderberg discloses such an arrangement. The Japan device clearly shows the outermost nozzle to be pointed inward to clean the inner surface of the shroud to prevent buildup of paint therein. The device of Anderburg is a manually movable device similar to a broom and does not rotate around a pivot point.

The nozzles of the Anderberg device are clearly mounted in a parallel arrangement across the bar thus, the outer nozzles cannot spray beyond the distal ends of the spray bar during rotation about a central axis.

Thus, because neither Japan nor Anderburg teach or suggest a unitary spray bar having a first array of nozzles fixedly inclined at a first compound angle with respect to the surface plane to

direct a cleaning spray at a surface on a rearward side of a vertical axis extending through said spray bar **to provide the exclusive motive force to cause rotation of said spray bar.** The first array of outer nozzles are also angled to spray outwardly with respect to the axis of rotation to spray beyond the distal end of the spinner bar during rotation and a second array of nozzles **fixedly** inclined at a second **substantially vertical angle** with respect to the ground plane to direct cleaning spray at the surface the Applicant respectfully requests that this rejection be removed and the claims be allowed to issue.

SUMMARY

In light of the foregoing remarks and amendment to the claims, it is respectfully submitted that the Examiner will now find the claims of the application allowable. Favorable reconsideration of the application is courteously requested. Should there be any remaining issues which can be resolved via an Examiner's Amendment, the Examiner is urged to call the undersigned in order to expedite the prosecution of this application.

Respectfully submitted,



A. Keith Campbell
Registration # 52,686

McHale & Slavin, P.A.
2855 PGA Boulevard
Palm Beach Gardens, FL 33410
(561) 625-6575 (Voice)
(561) 625-6572 (Fax)